

05 JUL -5 AM 10:23

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
AT KIRKLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:04CR575
)	
Plaintiff,)	JUDGE JOHN ADAMS
)	
v.)	
)	
LEOPOLDO GONZALEZ,)	
)	
Defendant.)	<u>PRELIMINARY ORDER OF FORFEITURE</u>

1. On November 17, 2004, a federal grand jury sitting in this district returned a five count Indictment against Leopoldo Gonzalez, charging him with violations of Title 18, United States Code, Sections 1466A, 2252(a)(2), 2252(a)(4)(B), 2252A(a)(2), and 2252A(a)(5)(B).

2. The Indictment further sought the forfeiture, pursuant to 18 U.S.C. § 2253(a), of the following properties:

- a. Compaq Laptop computer, Serial #CNF325308C;
- b. HP Pavillion MX 703 Monitor, Serial #319765-001; and,
- c. HP Pavillion CPU Serial #MXP336021B.

3. On January 12, 2005, LEOPOLDO GONZALEZ plead guilty to Counts 1, 3, and 5 of the Indictment. Defendant, LEOPOLDO GONZALEZ, also agreed to forfeit ownership and all interest in the above-described properties.

4. By virtue of the Plea Agreement executed by Defendant LEOPOLDO GONZALEZ, the United States is entitled to possession of the subject properties described above, pursuant to 18 U.S.C. § 2253.

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That based upon the agreement of the Defendant, LEOPOLDO GONZALEZ, the United States is hereby authorized to seize the following properties, and they are hereby forfeited to the United States for disposition in accordance with law, subject to the provisions of 18 U.S.C. § 2253(m):

- a. Compaq Laptop computer, Serial #CNF325308C;
- b. HP Pavillion MX 703 Monitor, Serial #319765-001; and,
- c. HP Pavillion CPU Serial #MXP336021B,

2. The above forfeited properties are to be held by the United States in its secure custody and control.

3. Pursuant to 18 U.S.C. § 2253(m), the United States forthwith shall publish, at least once weekly for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the intent of the United States to dispose of the forfeited properties in such manner as the Attorney

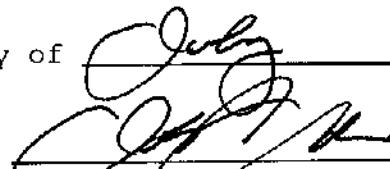
General may direct, and notice that any person, other than Defendant LEOPOLDO GONZALEZ, having or claiming a legal interest in the forfeited properties, must file a petition with the Court within thirty (30) days of the final publication of notice or of receipt of any actual notice, whichever is earlier.

4. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the forfeited properties, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited properties, and any additional facts supporting the petitioner's claim and the relief sought.

5. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the forfeited subject properties, as a substitute for published notice as to those persons so notified.

6. Upon adjudication of any and all third party interests, this Court will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 2253.

IT IS SO ORDERED this 1st day of July, 2005.


JOHN ADAMS
UNITED STATES DISTRICT JUDGE